

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

RASHID BROWN,

Plaintiff,

v.

Case No. 2:05-cv-68
HON. ROBERT HOLMES BELL

S. ANDREWS, et al.,

Defendants.

OPINION AND ORDER APPROVING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action on. The Report and Recommendation was duly served on the parties. The Court has received objections from the plaintiff. In accordance with 28 U.S.C. § 636(b)(1), the Court has performed *de novo* consideration of those portions of the Report and Recommendation to which objection has been made. The Court now finds the objections to be without merit.

Plaintiff failed to show that defendant Andrews retaliated against him. Plaintiff cannot show that defendant Andrews took adverse action against him which could support a claim of retaliation. The notification that plaintiff's calender would be destroyed and the delay in sending the calender out of the prison was not adverse conduct capable of deterring a person of ordinary firmness from filing grievances or complaints. Similarly, plaintiff has failed to show a violation of his equal protection rights or that defendants conspired against him. Moreover, defendants are entitled to the defense of qualified immunity.

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge is approved and adopted as the opinion of the court.

Dated: March 13, 2006

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
CHIEF UNITED STATES DISTRICT JUDGE